

P

012

889

79

Queen's University
Library

KINGSTON, ONTARIO

THE JESUITS ;

CONTAINING

- 1—Origin and History of the Jesuits.
- 2—Principles and Aims of the "Company of Jesus."
- 3—Immoral teaching of the Jesuits.
- 4—Condemnations of the Order.
- 5—Expulsions of the Jesuits.
- 6—Bull of Pope Clement XIV, abolishing the Society.
- 7—The Jesuits' Estates Act.
- 8—APPENDIX,
CONTAINING THE ARTICLES OF CAPITULATION,
TREATY OF PARIS,
XIV GEORGE III., CAP. 83, &C., &C.,

BY

PRINCIPAL AUSTIN, A. M., B. D.,
OF ALMA COLLEGE.



PRICE, 15 CENTS.

R. Bell

THE JESUITS;

THEIR

ORIGIN, HISTORY, AIMS, PRINCIPLES, IMMORAL TEACH-
ING, THEIR EXPULSIONS FROM VARIOUS LANDS
AND CONDEMNATIONS BY ROMAN CATHOLIC
AND PROTESTANT AUTHORITIES, WITH
THE BRIEF OF POPE CLEMENT XIV.

ABOLISHING THE SOCIETY, AND A CHAPTER ON

THE JESUITS ESTATES ACT,

BY

PRINCIPAL AUSTIN, A. M., B. D.,

OF ALMA COLLEGE.



ST. THOMAS, ONT.

TIMES BOOK AND JOB PRINTING HOUSE.

1889.

F5012
1889 A9

THE RESULTS



Digitized by the Internet Archive
in 2013

I—Origin and History of the Jesuits.

Ignatius Loyola, founder of the "Company of Jesus," was the youngest son of Beltran de Loyala, and was born in 1491 at the Castle of Loyola, the family seat in the Province of Guipuscoa, Spain. He died at Rome July 31st, 1556, was beatified by Paul V, in 1609 and canonized with Francis Xavier by Gregory XV. on May, 13th, 1623, the bull being published by Urban VIII. on August 6th. Don Inigo de Loyola, brave and accomplished but unversed in letters, whilst serving his country as a soldier, was wounded in a battle with the French at the siege of Pampeluna, 1521. Sent by his chivalrous captors to his father's castle he was induced to wile away the tedium of his hours by reading the legends of the saints, and by these he was induced to devote himself to a religious life. Visiting Montserrat he made a vow to the Virgin, and after practising some austerities at Manresa, he proceeded to Rome, Venice and Jerusalem. Returning he studied at Barcelona—thence in 1526, to the university of Alcala, where he began to gather a little band of fellow-workers about him. Suspected and imprisoned for a time by the Inquisition, he migrated to Salamanca, where he was again imprisoned. He reached Paris in 1528, and entered the College of St. Barbara, where in his sixth year of residence he attempted the organization of the most promising of the young men. In 1534, he and six others in the crypt of Notre Dame de Montmartre took their vows to one another and to the sort of life they contemplated, or to direct service of the pope should the former prove impracticable. The execution of their plans was postponed till January, 1537. In 1535, Loyola left Paris for Spain, where he remained a few months, thence to Venice. In 1537 he and his comrades were ordained priests at Venice, intending to go as missionaries to Jerusalem; but, war breaking out between Turkey and Venice, the leaders went to Rome, and others to the chief towns of North Italy where they began work as home missionaries. At this time Loyola abandoned the idea of an eastern mission, and determined that the "Company of Jesus" should become a special militia to the pope, or, as he expressed it, to Paul III., the "Light Horse" of the Church army. As a committee of Cardinals had reported to the pope in 1538 that the conventual orders were a scandal to Christendom, and should be abolished—"abolendos putamus omnes"—the time seemed favorable for securing papal influence to the new Order. Accordingly, the papal bull was issued on the 27th of September, 1540, confirming the Order, but limiting its membership to 60. In 1541 Loyola was chosen Superior. The members were immediately dispatched by the

pope on secret missions, principally to Ireland to encourage the native clergy in resisting the changes wrought by Henry VIII., and to Germany to oppose the Reformation. The pope continued to favor them by giving them power to alter their own statutes, exempting from the ordinary duties of the priesthood and from the task of hearing confessions of nuns, though Loyola strongly insisted on the duty of accepting the post of confessor to kings, queens, and women of rank when the opportunity offered. The founding of the Collegio Romano and a fresh confirmation by the pope took place in 1550. When Loyola died in 1556 there were 45 professed fathers, 2,000 members, and more than 100 colleges and houses in twelve provinces. Laynez, who succeeded Loyola as Superior, had a struggle with the pope, who tried to enforce the recitation of the breviary upon the society and reduce the Superior's term of office to three years. The pope was defeated in both respects, whilst Laynez succeeded in adding four clauses to the constitution: that the General only can make contracts binding the Society; that he can authoritatively gloss and interpret the rules and laws; can enact new and repeal old laws, and may have prisons for the punishment of refractory members. He died in 1564, leaving the Society established in 18 provinces, with 130 colleges, and was succeeded by Francis Borgia, who obtained from Pius V. a bull not only confirming all preceding privileges, but declaring that these privileges so granted should never be revoked by the Holy See. It was under his rule that the counter Reformation first attained prominence, which reached its highest tide under Claudio Acquaviva, 1581 to 1615. This was the special work of the Jesuits. During his reign the evil reputation of the Society eclipsed its good report; the pope turned against it; "they were driven from England once in 1581, and again in 1601 as conspirators against the life of Queen Elizabeth, and later again for their share in the Gunpowder Plot; from France as accomplices in the attempt of Chatel to assassinate Henry IV.; and from Antwerp, as having resisted the pacification of Ghent."—ENCYCLO. BRITAN. Henry IV permitted them to return in 1603 under conditions, but as Sully has recorded for us, he declared his only motive to be the expediency of not driving them into a corner and so inducing them to murder him. They were expelled from Venice in 1606 for siding with Paul V, when he placed the city under interdict. Gregory XIV confirmed all existing privileges to the Society and gave them power to expel members without any form of trial. This pope also denounced excommunication against any one save the pope or his legates who directly or indirectly infringed the constitutions of the Society. At their first centenary in 1639 there were 36 provinces, 800 houses and 15,000 Jesuits. The next century witnessed their great controversy with and victory over the Jansenists, the rebellion against Phillip IV of Spain powerfully aided by them which placed the Duke of Braganza on the throne of Portugal and gave them almost exclusive civil and ecclesiastical control of that Kingdom for a century. They guided the policy of Louis XIV, through

their confessors and sided with him against the pope. They forced the Revocation of the Edict of Nantes in 1685 and continued their war against Jansenism until the very walls of Port Royal were demolished in 1710, and the bodies of the holy dead were taken up and flung with insults to dogs. At a great council in Lima they decided it inexpedient to require any acts of christian devotion from South American converts save baptism, except under greatest precautions, and in China their missionaries allowed converts to continue in their idolatrous rites. During this century too, they abandoned their system of free education that had won them so much influence and honor, attached themselves almost exclusively to the interests of courts and became a great trading firm with branch houses in the leading countries of the world. Benedict XIV in a brief in 1741 denounced them as "disobedient, contumacious, captious and reprobate persons." Two other bulls in 1742 and 1744 striking at their continued insubordination did not save them from banishment from China 1753. They were responsible for the rebellion in Paraguay 1754. F. Lavalette, the Jesuit administrator of Martinique, a 'daring speculator failed for 2,400,000 francs ruining some of the chief commercial houses of France. Ricci the general of the Jesuits repudiated the debt and was sued by the creditors. Losing, he appealed to the Parliament of Paris and in the suit the "constitutions" of the Jesuits were brought in as evidence. The first publication of these constitutions raised a storm of indignation against the Society. A Royal Commission was appointed and an assembly of 51 archbishops convoked who decided that the unlimited authority of the general was incompatible with the laws of France and demanded a resident vicar subject to the laws. Ricci then replied: *sint ut sunt, aut non sunt*, let them be as they are or not be. They were suppressed in 1764 and banished from France 1767. In 1773 Pope Clement XIV in a brief (given almost entire in this pamphlet) dissolved and abolished the society forever. He also threw Ricci into the prison of Angelo where he died in 1775. In 1775 Pope Clement died and it has been hotly debated ever since whether poison administered by the Jesuits was the cause of his death. The bishop of Pistoria, Scipio de Ricci and Cardinal Bernis directly charged the Jesuits with poisoning him, and the report of the Spanish minister to the Court of Madrid contains the fact that the date of the pope's death was predicted beforehand. The pope's physician, Salicetti, denied that the body showed signs of poisoning. When suppressed they had 41 provinces, 22,589 members and 11,295 priests. In 1814 the pope again restored them to corporate existence, revoking the brief of pope Clement XIV. And thus we have the censure of one supreme infallible Pontiff speaking from "certain knowledge" and "with plenary authority" neutralized by an equally peremptory sentence of approbation from another supreme and infallible Pontiff! Their frequent expulsions from European and other countries are left almost unnoticed here being given in tabular form in another section.

"By their very constitution, as well as genius of the order a spirit of

action and intrigue is infused into all its members." ROBERTSON. An English satirist has said of them: they were tempted to serve God with the help of the Devil" and a French wit has declared that the Jesuit Confessors had "lengthened the Creed and shortened the Decalogue." Their is no doubt that they are now the supreme order in the Roman Catholic Church and that since the publication of the Vatican Decrees their influence with the pope has been predominant. They have won repeated victories in Quebec over the Gallican party and have succeeded, in opposition to seven of the ten R. C. bishops of that province, in securing incorporation in 1887, and the \$400,000 grant with the Laprairie Common in 1888. Their influence in Dominion affairs is readily seen in the recent vote in the Commons at Ottawa when the vast majority on each side of politics hastened to pay homage to the solid following controlled by Jesuits in acknowledgement of a very slender moral claim—a claim repudiated IN TOTO by the Legislature of Quebec in 1873.

There can be no doubt that their powerful and sinister influence in local and Dominion politics is the one dark cloud upon our country's horizon, and that earnest, united and successful resistance to Jesuitic aggression on the part of all friends of free institutions is the paramount duty of the hour.

II.—Principles and Aims of the "Company of Jesus."

No one who has studied the origin and history of the Jesuits can for a moment doubt that as sworn vassals of the pope their ultimate aim is the overthrow, by methods either fair or foul, of every form of religion but the Roman Catholic, the complete crushing out of civil and religious freedom, and the absolute subjection of every individual and every state to the will of the Roman Pontiff. By deception reduced to a fine art, by conduct so fully in accord with the teaching of their fathers that the term "Jesuit" has become synonymous with trickery and jugglery, by spiritual terrorism of princes and subjects, by intrigues with politicians, by barter of political support in return for lands and money, and by other methods by no means over scrupulous but fully justified by the teachings of their doctors, the society has pursued its dream of world-wide conquest for the Papacy. They have ever been and, whilst they sincerely hold the views they do, must ever be, the inveterate foes of all free institutions, the enemies of freedom of thought, speech and conscience in the individual and of freedom to the state. By a vicious mode of training in early life, by the principles of casuistry that distinguish their order, and by the false teachings of their creed, they have so exalted the idea of the CHURCH and so minimized the idea of MAN that human freedom is in their view no longer possible nor desirable, and

having endowed the pope with the divine attribute of infallibility it seems only reasonable that all the earth should be made subject to his fiat. Blinded by the errors of their teaching and oblivious to the growth of civilization, the society has ever tried to bring the world back to medievalism, stop the rising tides of progress and keep the mind and heart of the world in leading chains to the See of Rome. Requiring of each member a vow of blind obedience to the general, a vow that sacrifices reason and even conscience and makes the member a mere piece of wax in the hands of his superior, "a staff in the hands of an old man" they have demoralized man to exalt a society.

The "Company of Jesus" has ever been distinguished by the most extreme views of the rights and authority of the Papacy on the one hand, and of the means by which it was allowable to maintain them on the other. Since their origin no view of papal rights or powers, no new dogma tending to exalt the pope, no curtailment of human liberty by papal decree, has ever been too extreme for the Jesuit to accept and enforce. Indeed some of these extreme doctrines such as infallibility, immaculate conception, right of the pope to temporal power, power to absolve from civil allegiance, right to depose kings and princes, the freedom of clerics from civil authority, the inferiority and subjection of the state to the church, are either the special production of Jesuitism or the doctrines of which the Jesuits have been the special defenders. Wherever you find, therefore, the most extreme and absurd claims of the church of Rome you find Jesuits the authors or defenders. Listen to the pretentious claims of the pope as voiced by Cardinal Manning and defended by all Jesuits: "I acknowledge no civil power. I am the subject of no prince. I claim to be the supreme judge and director of the consciences of men, of the peasant that tills the fields, of the prince that sits upon the throne, of the household that lives in the shade of privacy, of the legislator that makes laws for kingdoms. I am the sole, last supreme judge of what is right and wrong."

Paul IV. claimed *EX CATHEDRA* that princes falling into heresy are *IPSO FACTO* deposed, deprived of all right of government and brought under sentence of death. Pius V. confirmed this, deposed Queen Elizabeth and released her subjects from their vow of allegiance. Gabriel Vasquez, one of the earliest of the Jesuits, says: "If all the members of the royal family are heretics, a new election to the throne devolves upon the state. For the king's successors could be justly deprived of the kingdom by the pope. Because the preservation of the faith, which is of greater importance, requires that it should be so. But if the kingdom were thus polluted, the pope, as supreme judge in matters of faith, might appoint a Catholic king for the good of the whole realm and might place him over it by force of arms if necessary." If this were a solitary example among the writings of the Jesuits, or if it had ever been repudiated by them, or if there were not repeated evidences in history of such views predominating among the members of the society, it might be considered unfair to hold the Jesuits responsible

therefor. Bausenbaum and Lacroix affirm: A man who has been excommunicated by the pope may be killed anywhere, as Filutius Escobar and Deaux teach. Emmanuel Saa, a Portuguese Jesuit, taught: "The rebellion of an ecclesiastic against the king is not a crime of high treason, because he is not a subject of the king."

Let the defenders of Jesuitism show if they can some reputable authority in that society who has denounced these monstrous doctrines. Let them point out the doctors among the Jesuits who have taught loyalty to government and civil liberty and equality. If they cannot, let them be silent when the Jesuit order is arraigned as disloyal and treasonable.

III—Immoral Teaching of the Jesuits.

Gretser, a man of mark among the Jesuits, the historian of the first one hundred years of their history, declares:—

"The members of the Society are dispersed through every corner of the world—distinguished by as many nations and kingdoms as the earth has intersections; but this is a division arising from *diversity of place, not of opinion*, a difference of *language*, not of *affection*, a dissimilarity of countenance, not of *morals*. In this association the *Latin thinks with the Greek*, the *Portuguese with the Brazilian*, the *Irishman with the Sarmatian*, the *Englishman with the Belgian*, and among so many different dispositions there is no strife, no contention, nothing which affords opportunity of discovering that they are *more than one*. The same *design*, the same *manner of life*, the same *uniting vow* combine them." They also directly appeal to writings as the source whence their sentiments on all subjects are to be learned. In defending his Order against the assaults of its foes Gretser exclaims: "There are many *theological works written by the doctors of the Society*. We profess the *same doctrine in a vast number of places, both privately and publicly in the schools*. It is not from obscure descriptions that an opinion of the doctrines of the Jesuits can be formed, but *from their books*, which, by the blessing of God, are already very numerous." It is further to be noticed that no Jesuit was allowed to publish a work until it had undergone the inspection and received the imprimatur of the Superior. A regulation was passed by Henry III, 1583, confirmed by Henry IV, 1603, and by Louis XIII, 1612, forbidding booksellers to print any work of a Jesuit Father without the approbation of "the divines," and "the permission of the superiors." Escobar's works were published at Lyons in 1644 and 1646.

Blaise Pascal was born 1623 in Clermont of Auvergne, and died in Paris in 1662. He was one of the most celebrated scholars ever produced within the fold of the Roman Catholic church, taking first rank as mathematician, scientist, theologian and author. He has been called by Sir Walter Hamilton "that miracle of universal genius," and his reputa-

tion as a man of deep piety, profound knowledge and rare ability is firmly established throughout Christendom. In the controversies that took place between the Jesuits and Jansenists—both communities in the Roman Catholic church—he sided with the latter and opposed, as well, the doctrine of papal infallibility. He declared in regard to the Jesuit authors quoted: I have twice read Escobar throughout. I HAVE NEVER USED A SINGLE PASSAGE WITHOUT HAVING READ IT MYSELF IN THE BOOK QUOTED AND WITHOUT HAVING READ THE PRECEEDING AND SUBSEQUENT CONTEXT. From his famous Provincial Letters we extract the following choice extracts by Jesuit authorities showing some of the actions he found justified:—

1. Doing evil that good may result from it.—“We may seek an occasion of sin directly and designedly—*primo et per se*—when our own or our neighbor’s spiritual or temporal advantages induces us to do so.”—[Father Bauny, in his Treatise on Penance.

2. Simony.—This is easily justified, for the party buying a benefice has only to so direct his intention that his money may be given, not for the benefice, but as a motive to incline the will of the patron. Then it is no longer simony.

“If a person gives a temporal in exchange for a spiritual good, and gives the money as the price of the benefice, it is manifest simony. But if he gives it merely as the motive which inclines the will of the patron to confer on him the living, it is not simony, even though the person who confers it considers and expects the money as the principal object.”—[Valencia, one of the four great authorities quoted by Escobar in his Moral Theology.

3. Revenging an insult.—“If a man has received a blow on the face, he must on no account have any intention to avenge himself, but he may lawfully have an intention to avert infamy, and may, with that view, repel the insult immediately, even at the point of the sword—*etiam cum gladio*.”—[Lessius.

4. Desiring the death of another, and rejoicing over it.—“An incumbent may, without any mortal sin, desire the decease of a life-renter on his benefice, and a son that of his father, and rejoice when it happens; provided always it is for the sake of the profit that is to accrue from the event, and not from personal aversion.”—Gaspar Hurtado, one of the twenty-four authorities referred to by Escobar.

4. Duelling.—“It is perfectly reasonable to hold that a man may fight a duel to save his life, his honor, or any considerable portion of his property, and when it is apparent there is a design to deprive him of these unjustly by law suits and chicanery, and when there is no other way of preserving them.”—Sanchez, in his Moral Theology.

Navarre, another casuist, holds that it is lawful to either accept or send a challenge, and that there is nothing to prevent one from despatching one’s adversary in a private way. Indeed, in such a case, he holds it is advisable so to do rather than employ the method of the duel—for by this means we avoid exposing our own lives.

Of course the enemy is not to be killed treacherously. But listen to Escobar’s definition of killing in treachery. “We call it killing in treachery when the person who is slain had no reason to suspect such a fate. He, therefore, that slays his enemy cannot be said to kill him in treachery, even though the blow should be given insidiously and behind his back—*licet per insidias aut a tergo percutiat*.”

5. Killing a man for an insult.—“It is perfectly right to kill a person who has given us a box on the ear, although he should run away, provided it is not done through hatred or revenge, and there is no danger of giving occasions thereby to murders of a gross kind, and hurtful to society. And the reason is, that it is as lawful to pursue the thief that has stolen our honor, as him that has run away with our property. . . . And, in point of fact, is it not certain that the man who has received a buffet on the ear is held to be under disgrace, until he has wiped off the insult with the blood of his enemy?”—[Henriquez, quoted by Escobar.]

6. Killing a defamer.—“An ecclesiastic or a monk may warrantably kill a defamer, who threatens to publish the scandalous crimes of his community, or his own crimes, when there is no other way of stopping him; if, for instance, he is prepared to circulate his defamations, unless promptly dispatched. For, in these circumstances, as the monk would be allowed to kill one who threatened to take his life, he is also warranted to kill him who would deprive him of his reputation, or his property, in the same way as the men of the world.”—[Father Lamy, chancellor of the University of Gratz in his *Cours Theologique*.]

7. Usury.—“It is heresy to say that usury is no sin.”—[Escobar.]

But usury may be avoided, and the lender receive his usury all the same if he only pursues the following little artifice: “The person from whom the loan is asked, must answer, then, in this manner: I have got no money to lend; I have got a little, however, to lay out for an honest and lawful profit. If you are anxious to have the sum you mention, in order to make something out of it by your industry, dividing the profit and loss between us, I may perhaps be able to accommodate you. But now I think of it, as it may be a matter of difficulty to agree about the profits, if you will secure me a portion of it, and give me so much for my principal so that it incur no risk, we may come to terms much sooner, and you shall touch the cash immediately.”—[Father Bauny.]

The same father pronounces the above an “excellent plan” by which a great many people “who now provoke the just indignation of God by their usuries” might save themselves in the way of making “good, honest and legitimate profits.”

8. Bankrupts keeping back their property from creditors.—“May a person, who turns bankrupt, with a good conscience keep back as much of his personal estate as may be necessary to maintain his family in a respectable way—*ne indecore vivat*? I hold, with Lessius, that he may, even though he may have acquired his wealth unjustly, and by notorious crimes—*ex injustitia et notorio delicto*; only in such a case he is not at liberty to retain so large an amount, as he otherwise might.”—[Escobar, in his *Moral Theology*.]

9. Retention of unlawful gains.—“*Quamvis mulier illicite adquisat, licite tamen retinet acquisita.*”—[Father Bauny.]

“If one has received money to perpetrate a wicked action, is he obliged to restore it?” “We must distinguish here,—if he has not done the deed, he must give back the cash; if he has, he is under no such obligation.”—[Malina, quoted by Escobar.]

18. Perjury.—“A man may swear that he never did such a thing (though he actually did it) meaning within himself that he did not do so on a certain day, or before he was born, or understanding any other such circumstance, while the words which he employs have no such sense as would discover his meaning. And this is very con-

venient in many cases, and quite innocent, when necessary or conducive to ones health, honor or advantage.”—[Sanchez.

“It is the intention that determines the quality of the action.”—[Filutius.

The same author suggests a surer method of avoiding falsehood, which is, after saying aloud, I swear that I have not done that to add in a low voice, “to-day”; or, after saying aloud I swear, to interpose in a whisper, “that I say.” “This you perceive is telling the truth,” adds Filutius.

These are only a few of the many that might be given, some of which will hardly bear the light of print to-day. They furnish very good explanation of the fact that the teaching of the Jesuits has ever been considered inimical to Christian morality, and if the conduct of the members of the society accords in any degree whatever with the teaching of its doctors, the public can readily understand why the Jesuits have been condemned alike by Protestants and Roman Catholics.

Let the reader judge if the teachings of the Jesuits to day is not immoral and anti-christian.

I. Take De Guay, whose *Compendium of Moral Theology*, and *Cases of Conscience* were until a few years ago, if they are not to-day, standard authorities at the Jesuit College at Rome, and at Maynooth. Let me cite but a few of the actions justified by this present-day Jesuit divine: 1. Defrauding the public treasury. The case supposed is as follows: A man sells a farm worth 50,000 francs to another. But as the Government in France exacts a tax upon all sales of real estate, to escape said tax the buyer and seller agree to enter it at 20,000 francs—whilst in reality the 50,000 are paid. De Gury, after supposing the above case and asking if it is wrong to feign a less price in order to escape the imposts, answers: It appears there is no obligation to declare the price paid, or the value . . . but those who diminish the value more than reasonable, expose themselves to the danger of paying a fine,” etc. Here, then, is one of the highest Jesuit authorities of the world, with the open Douay Bible before him which reads: “Render therefore to all men their dues, tribute to whom tribute is due, custom to whom custom is due,” deliberately justifying fraud upon the public treasury. Such teaching would justify every one of the tricks, frauds, and evasions resorted to in smuggling and illicit commerce of every kind.

2. Secret compensation from one who has wrongfully defeated us at law. The case supposed is this: A. has a suit with B. and is condemned to pay B. a sum of money, already paid. Is A. justified in resorting to some secret way of securing his own? If there were no other way, could he steal it? or defraud B. to that amount in some deal? De Gury holds that A. is justified in so doing—that is to say, in place of suffering wrong patiently, in place of yielding with Christian resignation to “the powers that be,” A. may take the law into his own hand, may commit a crime to make the wrong right. This is exceedingly dangerous morality. If A., who has suffered wrong at B’s hands in a matter of money, in place of enduring it patiently, may steal the amount back, may he not take sufficient also to compensate for his trouble and risk in stealing it? This doctrine sounds dangerously like “doing evil that good may come,” with which our Jesuit friends are charged, but which they strenuously deny.

3. A servant may secretly compensate himself if he is not given as high wages as others of his class, even if he agreed to leave the wages to the judgment of his em-

ployer. De Gury holds that the servant who thus secretly adds to the rate fixed by the master—though the servant agreed to leave the wages to such decision—and though the additions to his wages are made by theft, or fraud, “is not to be condemned.” This looks much like: “the end justifies the means.” But then the Jesuits earnestly deny any such teaching.

4: Roman Catholics cannot, according to Gury, without sin grant the dying wish of a Protestant for the presence of a Protestant minister. This would be “holding communication with heretics in religious affairs.” It is well known that in Ontario, as in other lands, Roman Catholics succeed in getting the lion’s share of legislative grants in favor of charitable institutions. In this province, whilst only one-sixth of the population, they receive over half, it is said, of the money so voted by the legislature. The excuse for this unequal distribution of the grant is that Protestants are often received and cared for in such institutions. It is to be hoped Gury’s teachings are not followed out in them.

De Gury states the following case: “L., a religieuse, attached to a hospital where Catholic and heretic patients are received, is requested by Q., a Protestant, who is dangerously ill, to go in search of a minister of his sect that he may obtain the consolations of his religion. But L. does not know whether she ought to comply or not. Question—Can L. cause a Protestant minister to be brought (i. e., without sinning)?” De Gury decides thus: “Answer—No. The reason is obvious. Were she to bring in a Protestant minister she would be holding communion with heretics in a religious affair, and would be guilty of co-operation, properly so-called.” De Gury clenches this ruling with a decision in a similar case delivered March 15, 1848, by the congregation of the Holy Inquisition at Rome. The case referred to was presented to the congregation by an ecclesiastic in these words; “D. N. humbly represents that in the town of M. there is a hospital, of which he is the director and chaplain, where patients are cared for by religieuses. In this hospital, patients who are strangers to the Catholic religion are received, and these ask for a heretic minister that they may obtain the consolations of their religion. D. N. desires to be instructed whether it is permissible for the religieuse to call in ministers of false religions? It is further asked whether, when a heretic is being treated in the private house of a Catholic, it is permissible for the latter to call in a heretic minister? The congregation of the Inquisition decided in both cases “that the thing is not permissible,” and added “let them” (i. e., the religieuses and the Catholic at whose house a heretic is lying ill) “observe a passive attitude.” To observe a passive attitude means, of course, to pay no attention to the request.

5. Amand promised on an oath to Marinus that he would never reveal to any one a theft which Marinus had committed. Suspicion arising, Amand was called up before the judge and gives up the secret. Question—Ought Amand to have revealed the secret confided in him? Answer—Amand ought not to have disclosed the secret confided in him. He should have replied, “I know nothing,” that is to say, nothing which I ought to tell, using a mental restriction.”

“Theofrid having inherited an estate and concealed his wealth to avoid paying his creditors, replies he has concealed nothing. Question—Is Theofrid to be condemned as a liar? Answer—Theofrid has not

sinned against truth, because he in reality concealed nothing in the sense of the interrogation, or in the sense in which he could be justly interrogated. So in replying that he has concealed nothing it is as if he said he had committed no injustice against his creditors, for it is only in that sense that the creditors and judge could interrogate him."

6, DeGury explains what he means by secret compensation as follows :—

"The secret and compensation consists in recovering a thing which belongs to us by taking a thing which does not belong to us."

He justifies it in the following case. Sallust, a rich man, is charged annually with the purchase of the necessary clothing of the family to a given amount of a merchant of the name of Cyrilla. But Sallust purchases of another merchant at lower prices. Sometimes he goes to another city to purchase cheap goods. Whatever he saves from the sum allowed by his master he keeps himself. Question can he keep the money thus saved? Answer.—Yes, because the gain which he realizes in going elsewhere and in purchasing advantageously is due to his labour and special skill. He need not disquiet himself on that subject."

IV—Condemnations of the Jesuits.

1. BY THE ROMAN CATHOLIC CLERGY OF PARIS.

Before the close of the 16th century the Parish clergy of Paris preferred a formal indictment against the Jesuits with a prayer for their removal. Good Catholics and loyal subjects as they were, they found the Jesuit teaching and conduct unendurable as they charged them with

- (a) Putting the pope above the general Councils and proclaiming there was no bound to his power.
- (b) Subverting the hierarchy and putting themselves above Bishops.
- (c) Supplanting the parish clergy.
- (d) Trampling under foot Gallican liberties.
- (e) Claiming for the pope the right to excommunicate kings, interfere in state affairs and call the temporal power to his aid.
- (f) With corrupting the youth by their doctrines, subverting conscience and teaching the lawfulness of regicide.

2. BY THE ROMAN CATHOLIC CLERGY OF FRANCE.

In the year 1700 an assembly of the R. C. clergy of France, under the influence of the famous Bossuet passed unanimously a sentence of the severest censure upon the lax morality of the Jesuits, and especially on the pernicious character of their doctrine of PROBABILISM.

3. BY POPE CLEMENT XI.

This pope in spite of his known sympathy with the society felt compelled to censure the Jesuits for having sanctioned the use by their converts in China, of a combination of the superstitions of Confucius with the ordinances of Christianity.

3. BY THE SORBONNE.

The theological faculty of the Sorbonne censured the conduct of the society as "false, rash, scandalous, contrary to the word of God and subversive of the christian faith and religion." which sentence was ratified by the pope.

4. BY THE PARLIAMENT OF PARIS.

Lavalette, the head of the order in France being brought into court for some alleged irregularities in regard to his financial operations in 1762 the society in the trial were obliged to produce their 'Constitutions.' When these, which had been heretofore hidden from all eyes except their own, became known, intense indignation against the society was aroused. Louis XV sent a letter to Ricci, the General, of the order at Rome and also to the popes asking that the statutes be amended.

The following quotation from a decree of the Parliament of Paris on March 5th of that year shows why the request was made :—"These doctrines (those contained in the constitution made at Prague), the consequences of which would go to destroy the law of nature—that moral standard which God himself has imprinted on the heart of man—and hence break all the bonds of civil society, since they authorize theft, falsehood, perjury, impurity the most criminal, and generally all passions as well as all crimes, by teaching secret compensation, equivocations, mental reservations, probabilism and philosophical sin ; to destroy all feelings of humanity among men, since they favor homicide and parricide, to overthrow the royal society"? General Ricci made the celebrated reply, "The Jesuits must remain as they are or cease to exist." The Pope's reply was similar.

5. BY PIETRO SARPI.—a Roman Catholic divine, historian and an intimate friend of three successive popes.

3. Pietro Sarpi was court theologian (Roman Catholic) at Mantua, then Professor of Philosophy at the Servite Convent of Venice, then at Rome for several years on intimate terms with three successive Popes, then for seventeen years at Venice, where he labored as a student, teacher, author and defender of Venetian rights. He wrote the History of the Council of Trent, History of Ecclesiastical Benefices, and was distinguished as well for scientific and philosophic attainments. The Encyclopædia Britannica declares : "To the highest qualities of the scholar, the statesman and the patriot he added charity, magnanimity and disinterestedness." Surely, as he was intimate with the leading theologians of his time, as well as the history, labors and influence of the Jesuits, he ought to be well qualified to describe "the most devoted and God-fearing men on the round world as an enthusiastic admirer of the Jesuits have styled them." He says : "They are a public plague, and the plague of the world. Chameleons, who take their colors from the soil they squat on, flatterers of princes, perverters of youth ; they not only excuse but lauding. They have the art so to blend their interests and that of Rome, seeking for them

selves and the Papacy the empire of the world that the Curia must needs support them, though it cowers before their unscrutable authority. They are the ruin of good literature and wholesome doctrine by their pitiful pretence of learning and their machinery of false teaching. On ignorance rests their power, and truth is mortal to them. Every vice of which humanity is capable, every frailty of which it is subject, finds from them support and consolation. If St. Peter had been directed by a Jesuit confessor he might have arrived at denying Christ without sin. Expelled from Venice, they work more mischief there by their intrigues than they did when they were tolerated. They scheme to get a hold on Constantinople and Palestine in order to establish seminaries of fanatics and assassins. They are responsible for the murder of Henry IV., for if they did not instigate Ravallac, their doctrine of regicide inspired him. They can creep into any kingdom, any institution, any household because they readily accept any terms and subscribe to any conditions, in the certainty that, by the adroit use of flattery, humbug, falsehood and corruption, they will soon become masters of the situation." His views on Jesuit education are too long to quote entire. He declares that "the education of the Jesuits consists in stripping the pupil of every obligation to his father, to his country and to his natural prince." that from the Jesuit colleges there never is sent a pupil obedient to the father, devoted to his country, loyal to his prince."

4. Archibald Manning declares "that the Roman Pontiff when he speaks ex-Cathedra when he defines a doctrine regarding faith or morals to be held by the universal church is possessed of that infallibility with which the Divine Redeemer willed that His Church should be endowed, etc., etc."

Pope Clement XIV. in his famous Bull of July 21, 1773, suppressing the Jesuits, whilst giving the grounds of his condemnation of the society, witnesses to the following points :

1. "That thousands of complaints against that religious community were laid before our predecessors, upheld by the authority of some princes."

2. "That the very bosom of the Society of Jesus was torn to pieces by internal and external dissensions," and among the many charges preferred against the society was that "of seeking with too much eagerness and avidity, after the riches of this world."

3. He recites the vain efforts made by a dozen preceding Popes to reform the society, and correct its abuses—among others the interpretation and practice of certain heathen ceremonies, which the order tolerated and admitted in many places," and to the society's use "of those maxims which the Holy See has justly prescribed as scandalous and obviously detrimental to sound morals."

4. He declares that "the kings of France, Spain, Portugal and the two Sicilies were forced to eject and banish from their kingdoms, states and provinces all the members of this religious order, being persuaded that this extreme measure was the only cure for so much evil," that frequent requests were made to his predecessor for the suppression of the Jesuits, and that "scarcely were we, by the mercy of God, raised to St. Peter's seat, but the same prayers, requests and entreaties were made to us, and to these were added the counsels and the supplications of a large number of bishops and other men, eminent for their rank, scholarship and piety."

5 He declares that "being anxious to act rightly in so grave and important a mat-

ter" he had taken a long time for making the "strictest enquiries, the most serious investigations," and that after having then used all the necessary means, helped, as we have every reason to believe, by the presence and inspiration of the Holy Ghost. . . . after a mature examination, with full knowledge of facts, and with the plenitude of our apostolic power, we suppress and we abolish the Society of Jesus; we remove and we abrogate all and any every one of its offices, functions. . . . houses, schools colleges and retreats. . . . and in whatsoever province, kingdom or state that it be situated. . . . " But enough has been given to convince every one willing to be convinced that Jesuits have never been loyal subjects, that their incorporation and endowment in a young country like Canada is little less than an act of political diabolism—and one, unless the leopard can change his spots, for which Canadians will pay dearly in the future.

6. BY EMINENT MEN.

"Where the Jesuits set foot it is as with the Turk, no longer grass grows there."

Lord Palmerston in 1853 said :—

The presence of the Jesuits in any country is likely to disturb the political peace of that country. THEIRS declared that the Jesuits' educational establishments tended to cultivate a spirit which was contrary to the laws of the realm, and that the maxims which were inculcated and the doctrines which were taught on the subject of spiritual and temporal power, endangered the morality and interfered with the patriotism of the young.

Abbe Armaut said :—

"Do you wish to excite troubles, provoke revenge, to produce the total ruin of your country—call in the Jesuits."

V.—Expulsions of the Jesuits by R. C. and Protestant Governments.

It must be obvious to every fair-minded individual that a society that in less than three and one half centuries has brought upon itself over eighty expulsions, secured the repeated condemnation of princes, parliaments and popes, and finally its own complete suppression by the head of the church that gave it birth, has no strong claims to exceptional favors in any free country. Probably no other society ever organized among men has ever brought upon itself such universal execration, excited so much opposition alike from its own allies and its foes, and received such severe punishment at the hands of legislatures, courts and kings as the Society of Jesus. Either then the Jesuits must be held guilty of the charges and crimes laid at their door, or we must in fact, condemn Christendom. We are asked to believe that it has ever been because of their piety, their outspoken condemnation of wrong and etc., that they have been hated and hunted. But there are

two insuperable difficulties in the way of accepting this theory. First, why should their own co-religionists have denounced them for immoral teaching, heathen practices, political intermeddling. Secondly, how does it come, the enquirer after truth will ask, that among the countless orders of the Roman Catholic church this one alone has the unenviable distinction of being dreaded, hated and banished by the entire Christian world? Let the candid student of history turn—not to the Protestant historians, who might be prejudiced against the Jesuits—but to the bull of Pope Clement XIV., and to the writings of the Jesuits themselves, and he will find an answer that will be a sufficient vindication of the Christian world in its treatment of the Jesuits, and an overwhelming condemnation of these Ishmaelities of modern times.

The Jesuits have been expelled as follows :—

Saragossa, 1555.	Moravia, 1619.	Rouen, 1825.
La Palatine, 1558.	Naples, 1622.	Great Britain, 1829.
Vienna, 1566.	Netherlands, 1622.	Ireland, 1829.
Avignon, 1570.	China, 1623.	France, 1831.
Antwerp, 1578.	India, 1613.	Saxony, 1831.
Portugal, 1578.	Malta, 1634.	Portugal, 1834.
Segovia, 1578.	Russia, 1723.	Spain, 1835.
England, 1579.	Savoy, 1729.	Rheims, 1838.
England, 1581.	Paraguay, 1733.	Lucerne, 1841.
England, 1586.	Portugal, 1759.	Lucerne, 1845.
Japan, 1587.	France, 1754.	France, 1845.
Hungary, 1588.	Spain, 1767.	Bavaria, 1848.
Transylvania, 1588.	Two Sicilies, 1767.	Switzerland, 1848.
Bordeaux, 1589.	Duchy of Parma, 1768.	Naples, 1848.
France, 1594.	Malta, 1768.	Papal States, 1848.
Holland, 1596.	Russia, 1776.	Linz, 1848.
Toulon, 1597.	France, 1804.	Vienna, 1848.
Berne, 1597.	Eripou, 1804.	Styria, 1848.
England, 1602.	France, 1806.	Austrian Empire, 1848.
England, 1604.	Naples, 1810.	Galicia, 1848.
Denmark, 1606.	1816.	Sardinia, 1848.
Thoru, 1606.	Seleure, 1816.	Sicily, 1848.
Venice, 1606.	Belgium, 1818.	Paraguay, 1848.
Venice, 1612.	Brest, 1819.	Italian States, 1859.
Japan, 1613.	Russia, 1820.	Sicily, 1860.
Bohemia, 1618.	Spain, 1826.	

France and several other countries since, making in all over eighty expulsions, principally from Roman Catholic countries. Whether these banishments were, as history alleges, and as the various governments profess on account of the political intrigues of the Jesuits, or whether they resulted, as their defenders would have us believe, from their excessive piety, the reader will easily judge for himself.

BRIEF OF POPE CLEMENT XIV.,

FOR THE

SUPPRESSION AND EXTINCTION OF THE SOCIETY OF THE JESUITS.

§ 1. Our Lord and Redeemer Jesus Christ, foretold by the prophet as the Prince of Peace (which on His coming into the world He first of all announced to the shepherds by the angels, and afterwards before His ascension into heaven again and again bequeathed to His disciples), "after He had reconciled all things to God the Father, making peace by the blood of His cross, whether they be things in earth or things in heaven," committed to His Apostles also the ministry of reconciliation, and assigned to them the message of reconciliation, so that acting as ambassadors for Christ (who is not a God of dissension but of peace and love) they might preach peace to the whole world, and might employ their efforts and their energies especially on this, namely, that all who were born in Christ might be "careful to preserve the unity of the spirit in the bond of peace, one body and one spirit, even as they are called in one hope of their calling," which unity cannot be obtained, according to Gregory the Great, unless men strive to reach it with minds linked in friendship to their neighbors.

§ 2. This same message and ministry of reconciliation, entrusted to us in a special manner when, in spite of our utter unworthiness, we were elevated to this chair of St. Peter's, we have called to mind, we have kept it before our eyes day and night, having it engraven in the very bottom of our heart; and to the utmost of our power we have endeavoured to fulfil it, diligently supplicating Divine assistance for this that God would condescend to pour into our heart, and into the whole people of Christ, thoughts and counsels of peace, and to maintain for us a safe and secure method of attaining peace. Moreover, knowing well that we have been by Divine Providence placed over the nations and over the kingdom for this purpose, that in cultivating the vineyard of the Lord of hosts, and in preserving the temple of the Christian religion, of which Christ is the corner stone, we may root out, and throw down, and destroy, and scatter, and build, and plant, we have all along been of this mind and fixed determination, that as we were resolved to omit nothing for the peace and tranquility of the Christian commonwealth which might appear to be in any way likely to cultivate and edify it,

so, in compliance with the same bond of mutual charity, we should be ready and prepared to pull up and destroy even what was most agreeable to ourselves, and dearest, and what we could not lose without the greatest grief and distress.

§ 3. It is impossible to doubt that amongst those things which contribute most of all to the prosperity and felicity of the Christian commonwealth, the highest place is in general to be assigned to the regular religious orders, from which the universal Christian Church has in every age derived the largest amount of honour, of assistance, and of benefit. These, accordingly, this Apostolical See has approved, and has not only supported them by her patronage, but has assisted them by bestowing upon them very many benefactions, exemptions, privileges and powers, in order that by these they might be more and more stirred up and stimulated to the cultivation of piety and religion, to the guiding aright of the morals of the people both by precept and by example, to the maintaining and confirming of the unity of the faith amongst the faithful. On the other hand, when it has turned out that from any particular religious Order the Christian people either no longer received those precious fruits and those valuable advantages for the production of which the Order was originally instituted; or when the Order seemed likely to cause injury and to disturb the peace of nations rather than to promote it, then this same Apostolical See which had taken the pains to plant these Orders, and had interposed its authority on their behalf, has not hesitated for a moment either to strengthen them by new laws, or to recall them to their ancient strictness of life, or even to root them out utterly, and to disperse them.

[§§ 4—13 inclusive contain illustrations of the positions laid down, and recapitulate the suppression of the Templars, the Barnabites, the Ambrosii, and various other orders, by Innocent III., Clement V., Pius V., Urban VIII., Innocent X., and Clement IX.]

§ 14 Moreover, in determining upon and carrying into effect all these [forementioned resolutions] our predecessors have always thought it better to employ the most prudent method of action, which they believe tended most to prevent entirely the introduction of strife and to remove divisions and factions. Accordingly, discarding that troublesome and tedious method which is commonly employed in legal prosecutions, and following simply the dictates of prudence, they took care to have the whole question settled by that plenary power with which they have been endowed as vicars of Christ and supreme rulers of the Christian commonwealth, without giving the regular Orders that were destined for suppression, permission and opportunity to bring their rights to trial, and either to repeal the grave accusations made against them, or to refute the reasons for which they (the Popes) were led to adopt this method of procedure.

§ 15. Placing therefore before our eyes these and other instances of the greatest weight and authority with all, and at the same time animated by the earnest desire to proceed with faithful mind and firm foot in that subject of deliberation to which we shall presently refer, we have employed all diligence and research to enquire into everything that concerns the rise, progress, and present condition of that regular Order which is commonly called the Society of Jesus; and we have accordingly ascertained that it was originally instituted by its pious founder for the salvation of souls, for the conversion of heretics, and especially of infidels,

and in short for the increase of piety and religion : and that for the easier and better accomplishment of this most desirable end the Order was consecrated to God by a most stringent vow of evangelical poverty, extending to individuals as well as to the community ; excepting only colleges for study, which were permitted to possess property, on the express understanding that none of it should at any time be spent or converted to the use and advantage of the Society itself.

§ 16. On these and other most sacred conditions, the Society of Jesus was at first sanctioned by our predecessor Paul III. of pious memory by his Bull dated September 27, 1540 A. D. ; and the same Pontiff conceded to the Society the right of making laws and statutes providing most admirably for the protection, the safety, and the government of the Society. And although the same Paul had at first strictly limited the number of the professed to sixty, yet by a subsequent Bull dated February 28, A. D. 1543, he gave the governors of the Society permission to receive into it as many as they thought desirable or necessary. Afterwards, by a Bull of November 15, 1549, the same Paul bestowed upon the Society many very ample privileges ; amongst these, the permission which was formerly conceded to the Generals of the Society to admit twenty priests as spiritual *coadjutors*, and to bestow on them the same powers, privileges, and authority, as the professed were endowed with, was now allowed and ordained to be extended, without any restriction or limit of number, to any person whom the Generals deemed suitable ; and still further, the Society itself, and all its members and persons, and all their property, were exempted from all superiority, jurisdiction, and correction of any ordinances whatsoever, and were taken under the protection of the Pontiff and the Holy See.

§ 17. The munificence and liberality of others of our predecessors to the same Society has been equally conspicuous. It is well known that Julius III., Paul IV., and Pius IV. ; and V., Gregory XIII., Sixtus V., Gregory XIV., Clement VIII., Paul V., Leo XI., Gregory XV., Urban VIII., and other Roman Pontiffs of pious memory, have either confirmed the privileges previously bestowed upon this Society, or have increased them by new additions, or at least have most clearly defined them. Yet from the very tenor and terms of these Apostolical constitutions, we plainly learn that in this same society, almost from its very commencement, there sprang up various seeds of discord and strife, not only amongst the members of the Society themselves, but between them and other regular orders, the secular clergy, the academies, universities, public seats of learning, as well as the kings into whose dominions the Society had been admitted ; and that these contentions, and divisions were waged sometimes concerning the nature and character of their vows, concerning the time of admitting the members to pronounce the vows, the power of expelling the members, the promotion of the members to holy orders without a title, and without the customary vows, in violation of the decrees of the Council of Trent, and of our predecessor Pius V. of pious memory ; sometimes concerning the absolute authority which the General of the Society claimed for himself, and other matters relating to the government of the Society ; sometimes concerning various points of their doctrine, their schools, their exemptions and privileges which the ordinaries of the places, and other persons possessing ecclesiastical or civil dignity, asserted to be injurious to

their established jurisdiction and privileges ; and, in short, there was no want of the very gravest accusations alleged against the members, which caused no little confusion to the peace and tranquillity of the Christian commonwealth.

§ 18. Many complaints consequently arose against the Society ; and these, supported by the authority and the reports of many princes, were brought before our predecessors of pious memory, Paul IV., Pius V., and Sixtus V. Among these princes was Philip II. of illustrious memory, the Catholic king of Spain, who took the trouble to explain to our predecessor Sixtus V. not only the very serious reasons by which he himself was strongly influenced, but also the complaints which he had heard from the Inquisition of Spain against the excessive privileges of the society and its form of government, as well as the grounds of the quarrels confirmed by members of the Society of distinguished learning and piety ; and he entreated the Pope to decree and to undertake an Apostolical visitation of the Society.

§ 19. Sixtus our predecessor consented to this request and desire of King Philip, which he had perceived to be founded on the highest justice, and he selected for the office of apostolical visitor a bishop highly esteemed by all for prudence, virtue and learning ; and besides, he appointed a congregation of several cardinals of the Church of Rome to pay the utmost attention to the accomplishment of the inquiry. But on the premature death of our predecessor, the said Sixtus V., this most salutary design undertaken by him vanished, and proved entirely fruitless ; And Gregory XIV. of happy memory, being elevated to the supremacy of the Apostolical See, by his Bull dated June 28, 1591, confirmed once again in the most ample manner the institution of the Society, and gave orders for the ratification of all the privileges which had been conferred upon the Society by his predecessors, and especially this privilege by which it had been provided that members might be expelled and dismissed from the Society without the employment of any judicial form, (that is) without any preliminary inquiry, no record being drawn up, no judicial order being observed, not even any necessary time being devoted to it, but simply by an inspection of the truth of the charge, and having regard to the credible character of the accusation, to the persons, and to the other circumstances. Besides he enjoined the most profound silence ; and under the penalty of the promulgation of a sentence of excommunication, forbade any one to presume directly or indirectly to attack the institution, the constitutions, or the decrees of the said Society, or to cause any of them to be in any way altered. Yet he left to every man the privilege, that whatever he thought should be added, taken away, or changed, he might intimate and propose it, but only to himself and the Roman Pontiffs for the time being, either directly, or through the legates or nuncios of the Holy See.

§ 20. So far, however, were all these measures from restraining the clamours and complaints against the Society, that on the contrary almost the whole world was filled more than ever with most annoying debates concerning the teaching of the society, which very many accused of being opposed to the orthodox faith and to good morals. Internal and external dissensions also broke out ; and accusations were brought more frequently than ever against the Society, especially for

its extreme eagerness to obtain worldly property. From all which originated both those well-known disturbances which caused such distress and annoyance to the Holy See, and also the designs which many princes formed against the Society. It happened, therefore, that when this Society wished to obtain from Pope Paul V., our predecessor of happy memory, a new confirmation of its institution and its privileges, it was compelled to entreat him to ratify and confirm by his authority the decrees issued in the fifth general congregation of the Order, and inserted word for word in his Bull of September 4, 1606: in which decrees it is most distinctly stated that partly internal quarrels and disturbances amongst the members, and partly the complaints and demands of outsiders against the Society, had compelled the members assembled in regular congregation to pass the following statute:

§ 21. "Since our Society, which was raised up by God for the propagation of the faith and the salvation of souls, is able, by the use of the appropriate instruments of its constitution, which are spiritual weapons, to attain successfully under the banner of the Cross, with benefit to the Church and profit to others, that end which it aims at, so on the other hand it would hinder these blessings, and would expose itself to the greatest dangers, if it were to engage itself upon secular things, and matters belonging to politics and civil government: therefore it has been most wisely ordained by our predecessors that we, as the soldiers of God, should not meddle with matters which are inconsistent with our profession. As however, especially in these very dangerous days, our Order, perhaps through the fault of some members, and their ambition or indiscreet zeal, is badly reported of in many places and among many princes (the maintenance of love and charity with whom our father Ignatius of blessed memory considered to be part of our obedience to God); and as, on the contrary, a good savour of Christ is necessary in order to bring forth fruit, the congregation has decreed that we ought to abstain from all appearance of evil, and, as far as may be, should redress complaints even when they are founded on false suspicions. Wherefore by the present decree, it (the Society) sternly and strictly forbids all our members from mingling in public concerns of this kind, even if they be invited to do so, or induced by any consideration, but that they should not by any prayers or entreaties be diverted from the purpose of their institution. What further efficacious remedies were to be applied as was necessary to this disease, the Society left to be accurately determined and defined by the fathers who were appointed to define them."

§ 22. We have observed with the greatest grief, that both the aforesaid and many other subsequently applied remedies have had almost no virtue or efficacy in removing and dissipating these numerous and great disturbances, accusations, and complaints against the Society, and that our other predecessors have laboured in vain upon this, viz., Urban VIII., Clement IX. X. XI. and XII., Alexander VII. and VIII., Innocent X. XI. XII. and XIII., and Benedict XIV., who endeavoured to restore much-needed peace to the Church, by the publication of many most wholesome constitutions, both about abstaining from secular business, whether beyond their sacred missions or connected with them, and also about their serious dissensions and quarrels with the ordinaries of the places where

they lived, with the regular orders, with pious places and communities of every kind in Europe, Asia, and America, to the great loss of souls, and to the withdrawal of the approbation of the people from the Society ; also concerning their teaching, and their universal employment, in some places, of heathen rites, instead of those which the Universal Church had duly sanctioned ; or concerning their use and interpretation of certain maxims which the Holy See deservedly condemned as scandalous, and plainly prejudicial to good morals ; or, in short, about other matters of the greatest importance, and indispensably necessary for restoring, protecting and preserving the purity of Christian doctrines, and from which, in our age as much as in any other, have proceeded very great annoyances, inconveniences, and even disturbances in many Catholic regions, and persecutions of the Church in several provinces of Asia and Europe. Accordingly great grief was occasioned to our predecessors, and amongst them to Pope Innocent XI. of pious memory, who felt himself compelled to proceed so far as to interdict the Society from receiving novices to wear the dress of the Order ; and Pope Innocent XIII., who was compelled to threaten the same penalty against the Society ; and at length Pope Benedict XIV. of recent memory, who resolved upon a visitation of the houses and colleges in the dominions of our dearest and most faithful son in Christ, Joseph king of Portugal and Algrave ; but neither comfort to the Holy See, nor help to the Society, nor good to the Christian commonwealth came afterwards from the most recent apostolical letters, which (to use a term employed by our predecessor Gregory X. in the aforesaid General Council of Lyons), were extorted, rather than obtained, from our immediate predecessor Clement XIII. of happy memory, by which the institution of the Society of Jesus is highly commended, and once more approved.

§ 23. After so many and so great storms and most bitter tempests, every good man hoped that at length that most blessed day would dawn which should bring tranquility and peace in abundance. But whilst the same Clement XIII., our predecessor held the See of Peter, far more difficult and more troublous times arrived. For the charges and complaints against the aforesaid Society daily increasing, and moreover, there having arisen in many places most dangerous seditions, tumults, divisions and scandals, which, the bond of Christian charity being shaken and entirely destroyed, terribly stirred up the minds of the faithful into factions, hatred, and enmity, the matter seemed to be brought to such a dangerous crisis, that those very persons, whose ancestral piety and whose liberality to the Society transmitted, as it were, by a sort of hereditary right from their ancestors, is supremely praised by all, I mean our dearest sons in Christ the kings of France, Spain, Portugal and the Two Sicilies were compelled to dismiss and expel the members of the Society from their kingdoms, territories and provinces ; convinced that they had no other remedy left for so many evils than this last and absolutely necessary one, to prevent Christian people from attacking, provoking and tearing each other to pieces in the very bosom of Holy Mother Church.

§ 24. Our aforesaid most dearly beloved sons in Christ, feeling assured that this remedy could not be relied upon to tend to the reconciliation of the universal Christian Church, unless the Society were entirely extinguished and utterly suppressed ; they accordingly made known their desires and wishes to our predecessor, the

aforesaid Clement XIII., and with all possible authority, prayers and entreaties, desired him by that most effectual step [of suppressing them] to make provision for the perpetual security of their subjects, and the good of the whole Church. The death of that pope, however, which occurred so unexpectedly, put an entire stop to the progress of this matter and its accomplishment. In consequence when we, by the dispensation of God's mercy, were elevated to this chair of Peter, the same entreaties, requests and prayers were made to us, and to these were added the wishes and judgments of many bishops and other men most distinguished for rank, learning and piety.

§ 25. In order, however, that, in a matter so serious and so momentous, we might adopt the safest plan, we decided that it was necessary to employ a considerable space of time, not only for the purpose of inquiring carefully, weighing deliberately, and deciding wisely : but also that, with many groanings and prayers without ceasing, we might ask the Father of lights for his special help and protection ; in which prayer we took care that we should be frequently assisted before God with the prayers and pious works of all the faithful. Amongst other questions we determined most thoroughly to examine what ground there was for the opinion so widely entertained that the religious Order of the Society of Jesus had been with special solemnity approved and confirmed by the Council of Trent ; and we ascertained that all that had been enacted on this point in the Council was simply this : that the Society had been exempted from the general decree which provided, in the case of the other regular orders, that after a definite interval of novitiate, the novices who had been found fit should either be admitted to profess, or should be dismissed from their monastery. Accordingly that Holy Council (Session 25, Cap. 16) decided that they were unwilling to make any changes, or to prohibit the foresaid Order of the clergy of the Society of Jesus from serving God and his Church in accordance with their own pious regulations, approved by the Holy Apostolic See.

§ 26. Having employed, therefore, all these necessary means ; being assisted, we trust, by the presence and inspiration of the Holy Ghost, impelled also by the necessity of our office, by which we are most strictly bound, as far as our strength permits, to procure, to cherish and to strengthen the quiet and tranquillity of the Christian commonwealth, and to take utterly away from the midst of it everything which may be even of the smallest injury to it ; and having moreover perceived that the foresaid Society of Jesus could no longer produce those abundant and profitable results and advantages for which it had been founded, and had been approved by so many of our predecessors, and endowed with so many privileges, but that on the contrary, it seemed difficult, if not impossible, for any true and lasting peace to be restored to the Church so long as it continued to exist. Therefore, being persuaded by these very weighty arguments, and induced by other reasons, which the maxims of prudence and the good government of the Universal Church suggest to us, and which we keep treasured up in our bosom, following the example of our predecessor, at the General Council of Lyons, when, as at present, the question referred to the origin and the privileges of a Society which was ranked among the number of the mendicant orders, *We, after mature counsel, with certain knowledge, and by the plenitude of the apostolical power, extinguish and suppress the aforesaid Society ; we remove and abrogate all and singular its offices, ministries and administrations, its houses, schools, colleges, hospitals, and all places belonging to it, in*

whatever province, kingdom and territory they are situated, and in whatever manner they belong to it : its statutes, practices, customs, decrees, constitutions, even if they have been confirmed by oaths, by apostolical sanction, or in any other manner ; likewise all and singular its privileges and indulgences, whether general or special, the tenor of which we wish to be considered as fully and sufficiently set forth in this present Bull, as if they were inserted word for word, notwithstanding any formulæ or clauses to the contrary, and with whatever obligations and decrees they may be expressed. And therefore we declare to be for ever void and utterly extinct all and every authority of the General, the Provincials, the visitors, and all other superiors of the foresaid Society, as well in spirituals as in temporal ; and that jurisdiction and authority we transfer wholly and entirely to the ordinaries of the several places, according to the manner, circumstances and persons, and under the conditions which we shall presently specify ; prohibiting, as by these presents we do prohibit, any one from being received after this into the foresaid Society, and being admitted to wear their dress or to pass their novitiate, and those who have been admitted we prohibit from being received to make valid profession of their vows, whether simple or solemn, under the penalty of the nullification of their admission and profession, and whatever other punishment we choose to inflict. Furthermore we wish, order, and command that those who have now finished their novitiate education, be forthwith at once immediately and effectually dismissed ; and in like manner we forbid those who have made profession of the simple vows, but are not yet advanced to any holy orders on the excuse or ground of the profession that they have already made in the Society, or of any privileges bestowed on the Society in contravention of the decrees of the Council of Trent.

§ 27. Moreover, as it is our desire that just as we wish to provide for the benefit of the Church and the peace of nations, so also we should study to afford some consolation and assistance to the individual members of the order (whom we love individually with fatherly affection in the Lord), that being free from all those strifes, discords and anxieties by which they have hitherto been annoyed, they may be able to cultivate the vineyard of the Lord with more fruitfulness, and may more abundantly promote the salvation of souls, therefore we decree and determine that those members of the Society who have as yet only professed the simple vows, and have not been admitted to holy orders, shall, within a space of time to be fixed by the ordinary of the place,—sufficiently long for find'ng some function or office or some benevolent patron, but yet not to exceed one year, reckoning from the date of our present letter,—depart from the houses and colleges of the Society, released from all obligation of their simple vows, and that they shall adopt that mode of life which they deem to be peculiarly adapted in the Lord to their several vocations, capabilities and conscience : although, according to the privileges of the Society, they cannot be dismissed from it for any reason except that which the superiors considered to be in accordance with prudence and with circumstances, without any previous summons, any regular record, or any legal order.

§ 28. And to all those members who have been advanced to holy orders, we give permission and authority to leave their houses and colleges, either with the view of betaking themselves to one of the regular orders which have been approved by the Apostolic See (in which they shall be bound to complete the time of probation

fixed by the Council of Trent, if they have only made the profession of simple vows in the Society ; but if they have also taken the solemn vows, they shall remain in probation only for six months, by virtue of the dispensation which we kindly grant to this effect) : or that they may remain in the world as priests and secular clergy, in entire and unreserved obedience and subjection to the ordinaries within whose diocese they may fix their abode : decreeing, moreover, that to those who shall return to the world on this footing some suitable stipend may be assigned (so long as they are not otherwise provided for) from the revenues of the house or college where they lived, regard being had, however, to the revenues and to the burdens connected therewith.

§ 29. Those again of the professed and ordained who, either through fear of not gaining a sufficient respectable livelihood, from the deficiency or want of the pension assigned to them, or because they have no place to set up their abode in, or on any other good and sufficient reason, think it very inconvenient to leave the houses and colleges of the Society, shall be at liberty to remain there ; provided, however, that they assume no administration of the house or college, that they wear only the dress of the secular clergy, and that they live in most entire subjection to the ordinary of the place. Moreover, we entirely prohibit them from choosing any others in the room of those who shall leave ; or from acquiring afresh any house or place, in accordance with the decrees of the Council of Lyons ; or from alienating the houses, property, and places which they now possess. Notwithstanding, due regard being had to the number of members who remain, they may be collected into one house only, or more, provided that the houses which shall be left empty be converted to pious uses, as it may seem in time and place truly and properly in accordance with the sacred canons, the will of the founders, the increase of Divine worship, the salvation of souls, and the public benefit. Meantime, however, some one of the secular clergy, distinguished by his prudence and uprightness, will be nominated to preside over the government of the foresaid houses, the name of the Society being entirely suppressed and abolished.

§ 30. We declare also that the individuals of the foresaid Society in all the provinces from which they have already been expelled, are included in this general suppression of the Society ; and it is our pleasure that the aforesaid expelled members, even if they have been already elevated to the higher holy orders, shall be *ipso facto* reduced to the condition of secular priests and clergy, and be entirely subjected to the ordinaries of the place, unless they have passed into some other regular order.

§ 31. The ordinaries of the places, if they shall find the necessary virtue, learning, and purity of morals in those of the regular Society of Jesus who shall by force of this present letter of ours have passed into the condition of secular priests, shall be at liberty, at their own discretion, to give or to refuse them the power of receiving the sacramental confessions of the faithful, or of preaching publicly to the people, without which license in writing none of them shall dare to assume these functions. Moreover, these bishops or ordinaries of the places shall never confer this licence, in regard to outsiders, upon those who shall live in colleges or houses that formerly belonged to the Society ; these we perpetually debar from administering the Sacrament of penance to outsiders, or preaching to them, just as Gregory X., our predecessor, in like manner prohibited this in the foresaid General Council. And on this we appeal

to the consciences of those bishops, who, we hope, will remember that most strict account which they will have to render to God of the sheep committed to their care, and of that most severe judgment which the Supreme Judge of quick and dead denounces upon those who rule.

§ 32. Furthermore, it is our will that if any of those who were professed of the Society holds the office of an instructor of youth in learning, or is a master in any college or school, place and opportunity for continuing in the function of teaching may be given to those only who give some ground for cherishing good hopes of their labours; provided that they be all completely removed from the government, administration, and direction of the schools; and also that they abstain from those discussions and points of doctrine which either by their laxity or their inanity, are wont to generate and produce most serious quarrels and inconveniences; and also provided that at no time shall any be admitted to the office of teaching, or, if they are actually occupied in it, be permitted to remain in it, who are not likely to do their best to preserve the peace of the schools and public tranquillity.

§ 33. And as to the Missions, which we wish to be affected by whatever we have determined concerning the suppression of the Society, we reserve to ourselves to appoint those means by which the conversion of infidels and the pacifying of discords may be most easily and most securely obtained.

§ 34. Moreover, all the privileges and statutes of the forenamed Society being, as we have said, made void and totally abolished, we declare that its members, after they have left the houses and colleges of the Society, and have been reduced to the condition of regular clergy, are capable and qualified for obtaining, in accordance with the decrees of the sacred canons and the apostolical constitutions, any benefices, either with or without a cure, offices, dignities, parsonages, and other such things, from all which, while they remained in the Society, they were completely excluded by Pope Gregory XIII. of happy memory in his Bull of the 10th of September, 1584, beginning "*Satis superque.*" Likewise we give them permission (which had also been forbidden to them) to receive voluntary offerings for celebrating the mass; and to enjoy all those graces and favours which as regular clergy of the Society of Jesus they had always been deprived of. We repeal also all and every prerogative with which they have been endowed by their General and other superiors, on the ground of privileges obtained from the supreme Pontiffs, such as permission to read the works of heretics and other works proscribed and condemned by the Apostolical See; not to observe fasting days, or not to use fast-day food upon them; to anticipate or postpone the recital of the canonical hours; and other similar licences, which we most stringently prohibit their using for the future, as it is our mind and will that, like secular priests, they should accommodate their mode of living to the limits of general privileges.

§ 35. After the present letter shall have been issued, we forbid anyone to suspend its execution under colour, ground, or pretext of any petition, appeal, repetition, declaration, or consultation as to doubts which may happen to arise, or any other pretext foreseen or unforeseen. For it is our will that now and immediately the suppression and annihilation of the entire foresaid Society and all its offices should take effect in the form and manner before described by us, under the penalty of ~~the~~ *ipso facto* incurring that greater excommunication which is reserved to be used by us

and by our successors, the Roman Pontiffs for the time being, against any one who shall presume to interpose any impediment, hindrance, or delay to the accomplishment of this letter of ours.

§ 36. Furthermore, we order, and in virtue of that obedience to which they are bound we command, all and every ecclesiastical person, regular and secular, of whatever grade, dignity, rank, and condition, and those especially who have hitherto belonged to the Society and been amongst its members, not to dare to defend, impugn, write, or even speak of this suppression and its causes and motives, or concerning the institution of the Society, its laws, constitutions, form of government, or anything else belonging to this subject, without the express permission of the Roman Pontiff; and similarly, under the penalty of excommunication reserved for us and our successors for the time being, we prohibit all and singular from daring to distress or annoy any one on account of this suppression, least of all those who have been members of the Society, with injuries, quarrels, insults, or any other kind of contempt, by mouth or by writing, secretly or openly.

§ 37. We exhort all Christian princes, with all the might, authority, and power which they have received from God for the defence and protection of the Roman Church, and also with that courtesy and respect with which they are animated to this Apostolical See, to use their energy and care that this letter of ours may receive its fullest effect; and further, following all that is contained in this letter, to frame and publish similar decrees, in order to provide that, whilst our wishes are carried out into execution, no quarrels, contentions, and discords may arise amongst the faithful.

§ 38. Finally, we exhort all Christians, and entreat them by the bowels of our Lord Jesus Christ, to remember that we all have the same Master in heaven; all the same Redeemer, by whom we have been purchased with a great price; that we have all been regenerated in the same laver of baptism by the Word of Life, and made the sons of God and co-heirs with Christ; that we have all been fed with the same food of the Catholic faith and the Word of God; in fine, that we are all one body in Christ, and every one members one of another; and therefore that it is indispensably necessary that all being bound together by the common bond of charity should have peace with all, and should owe no man anything, but to love each other, for he who loveth his neighbour has fulfilled the law; regarding with the greatest aversion offences, rivalries, quarrels, snares, and other things of this kind, which are devised, invented, and stirred up by the old enemy of mankind to disturb the Church of God and hinder the eternal happiness of the faithful, under the very deceitful pretext and excuse of the opinions of the schools, or even of Christian perfection. Let all, in short, with all their strength, endeavour to acquire that true and genuine wisdom of which St. James writes (iii. 13), "Who is wise and instructed among you, let him show out of a good conversation his working in meakness of wisdom. But if ye have envying of heart, and there be contentions in your souls, do not boast and lie against the truth. For this is not the wisdom that cometh down from above, but is earthly, animal, devilish. For where there is envying and strife, there is inconstancy and every evil work. But the wisdom which is from above is first of all pure, then peaceable, modest, easy to be entreated, agreeing with the good, full of mercy and of good fruits, not judging others, without envy. And the fruits of righteousness are sown in peace for those who make peace."

§ 39. And although the superiors and other members of the aforementioned Society and others, who had, or in any way pretended to have, an interest in the foregoing, have not consented to the present letter, nor been summoned to discuss it, nor been heard ; yet it is our will that it shall never be impugned on the charge of being surreptitious, clandestine, null, or invalid, either from any want of our intention, or any unforeseen defect, however great and substantial ; and although in the foregoing, or any part of it, those formalities and other things which should have been observed and fulfilled have not been fulfilled ; and notwithstanding any other ground resulting from any law or custom, even though contained in the *corpus juris*, and notwithstanding any pretext that there is in the letter great, very great, even total omission, or any other ground or reason, however just and reasonable and privileged, even if it were such as ought of necessity to be expressed in order to the validity of the foregoing—notwithstanding all this, we forbid that this Bull shall be censured, impugned, invalidated, retracted, brought to law or controversy, or taken to the courts of law ; and we forbid that there shall be obtained against it any act restoring matters to their original position, any re-trial, any bringing of the case into the courts of law, or any other remedy of law, of fact, of favour, or of justice ; and if any such remedy should by any means whatever be conceded or obtained, we forbid any one to use it, or to avail himself of it, either in a court of justice or out of it ; *but we ordain that this present Bull shall always and perpetually be, and continue to be, valid, firm, and effective, and shall have and obtain its full and complete results, and shall be inviolably observed by all and every one whom it affects or will in any way affect in future.*

VII.—The Jesuits' Estates Act.

In July 1888, the Quebec Legislature passed the above Act, granting \$400,000 and the Laprairie Common to the Pope to satisfy an alleged "moral" claim to the Jesuits Estates. As the grant has been endorsed by our Dominion Parliament and yet very generally condemned throughout the country, and has led to widespread discussion, a short historical statement concerning the Jesuits Estates is given, followed by the writer's views upon the strength of the "moral claim" of present-day Jesuits to this property. These estates, when Canada was very young, were given to the Jesuits by the Kings of France, the Duke of Ventadour, the Commercial Company of Canada, and by private donors ; some, it was said, were purchased. Some of these estates were granted on condition that the Jesuits would employ themselves in instructing the Indians and young Canadians.

In the year 1760 judgment was given in the Consular Court of Paris for thirty thousands livres against Father Lavalette, as agent or pastor of the order, in certain transactions connected with the purchase of estates in the Windward Islands, and the court declared that the whole Jesuit body was liable for his acts as principal. In the following year the Superior-General of the order, and in his person the body

and Association of the Jesuits in France, were condemned to pay one million, five hundred and two thousand, two hundred and sixty-six livres, two sols, and two farthings, the amount of certain bills of exchange which the body had not paid in connection with the purchase of these Windward Island estates, and also fifty thousand livres damages and all costs and expenses. During the trial the counsel for both the plaintiffs and defendants referred to the constitution of the order, and the Parliament of Paris, on April 17th, ordered that it be produced in court, specifying a printed copy of "the edition made at Prague in 1757," which had been cited in the court. A copy of these important volumes was produced in the Parliament and given to a commission, on whose report, on account of the teachings of the society as contained in the constitution, the Society of Jesuits was stripped of all its property, put out of existence as a society (it had no legal existence even at that time,) and the portion of its estates that had been devoted to education was continued for that purpose with some notable exceptions, but under the directions of others than the Jesuits, though ex-Jesuit teachers were allowed to remain in France and teach on certain conditions. The following year Louis XV. addressed a letter to the General of the order at Rome, Ricci, and also to Pope Clement XIII., asking that the statutes of the society be amended.

Ricci answered: Let them continue as they are or cease to exist. The Parliament of Paris decided they then must cease to exist in France and they were expelled by law, although they were given the option of remaining on condition that they retired from the order, severing their connection in truth and forever from the General in Rome. Only five or six out of some five thousand accepted these conditions.

This decree of expulsion extended to Canada as well and was made in 1762—one year before the Treaty of Paris in which the King of France ceded all his rights to "His Britannic Majesty." In 1765 the right of the Jesuits to these Estates came before the British House of Parliament and Sir James Marriott, king's advocate, in a letter to the Attorney General and Solicitor General in answer to certain questions reported that the Estates were undoubtedly the property of the Crown and gave reasons for his contentions. In 1770 the Estates were granted by the Crown to Lord Amherst in recognition of his services. The grant, however, was never carried out, principally because of the difficulties in securing the necessary information to draft the legal documents. In the year 1773 Pope Clement XIV., issued a bull "abolishing," "suppressing," and "dissolving" the Society of Jesus "forever." This bull was dated July 21st, and promulgated at half-past one o'clock in the night of August 16th, when the Jesuits were asleep, and were securely penned up in their houses. In the following year instructions were sent from the King of England to the Governor of Canada that the Society of Jesus be suppressed and dissolved, and that all their rights, privileges, and property should be invested in the Crown for such purposes as the Crown might hereafter

think fit to direct and appoint, "and the Royal intention was further declared to be that the present members of the society, as established at Quebec, should be allowed sufficient stipends during their lives." As the Jesuits had had no corporate existence since 1762 in Canada and as the Imperial Government shortly after the conquest prohibited any more Jesuits from coming to Canada, the Society gradually died out and in 1689 there were only four Jesuits living in the province of Quebec. Father de Glapeau, one of these, wrote to Monsieur Louis German, merchant of Quebec stating that these Estates had been given them in full property for PURPOSES OF EDUCATION, but "they had been reduced in number to four, all of an advanced age, consequently they were not in a condition to acquit themselves of the stated obligations, and therefore they renounced purely, simply, voluntarily and BONA FIDE all property and provisions thereof to the Canadian citizens in whose favor they were made."

In the year 1786 a commission in Canada was appointed by Lord Dorchester, the Governor of the colony, for the purpose of describing the Jesuits' estates that they might be transferred to Lord Amherst. In the course of their work they had a dispute as to whether the Jesuits' estates could be taken even by the Crown for any purpose except those of education and the advantages of the young Canadians. Lord Dorchester referred this legal question to Alexander Gray, Attorney-General of Quebec and J. Williams, Solicitor-General. The next year, 1790, the Attorney-General, and the Solicitor-General, submitted their report, which held that the proceedings of the Parliament of Paris in 1762 applied to Canada. The nature of their institution prevented them individually from taking anything under the capitulation of all Canada; nothing could be conveyed to the head of the order, and the order itself was finally dissolved and suppressed in 1774, so "the existence of the few members of the order in the province can in no shape be considered as forming a body politic or corporate, capable of any of the powers inherent in and enjoyed by communities." The report further said these persons were living on the charity of the Crown and should be very grateful.

In 1792 a petition was presented to the king by the newly constituted Legislature of Quebec asking that the revenue of the Jesuits' Estates be set apart for educational purposes. In the year 1800 Father Cazot, the last of the Jesuits in Quebec, died and the Sheriff of Quebec was directed to take all these Estates into possession which he formally did. And thus these properties for lack of any heir real or apparent escheated to the Crown. Let it be noted that since 1762 there was no corporate society of Jesuits in the Province—at which date the society lost all legal status i. e. one year before the Treaty of Paris—that since 1773 they had been dissolved and abolished by Bull of the pope—that the individual members of the Society in Canada became extinct in 1800—that one of the four

survivors in 1689 renounced all claims upon the property on account of inability of the members to fulfil the trust conferred upon them—that from 1800 to about 1850 there were no Jesuits in Canada to receive the trust and to discharge it—and it will, I think, be tolerably evident to every one that a new society organized about 1850 could not have a very strong claim to property given in trust to a former society which had ceased to exist nearly a century before. The claim of the first society lapsed though the cessation of the order and consequent failure to fulfil its trust, even if it were not forfeited by the conduct of the order. The claims of the new society of Jesuits seems to be of that vague, shadowy kind that ordinary people cannot discover and politicians can only see when it is backed up with good strong political support.

In 1814 the general society which had been “forever” abolished by one pope was revived by another. From 1824 to 1828 a lively agitation went on in Quebec to have these Estates formally set aside for educational purposes. And accordingly in 1831 a dispatch was received from Lord Goderich handing these Estates over to the Legislature for the purpose of advancing religion and “sound learning.” From 1800 to 1831 about one fourth of the revenue of these Estates had been granted to educational purposes. In 1831 the Legislature passed an Act requiring that all the revenues of these Estates be kept in a separate chest and applied to “educational purposes exclusively,” as that or other Acts might direct. About 1841 Bishop Bourget wended his way to Rome and invited the Jesuits to come and set up a college under the shadow of the episcopal palace in Montreal. The invitation was accepted and the charter granted eleven years later.

About 1846 the agitation began to place the revenues from these Estates under control of the Roman Catholic Church.

“The British troops had occupied the Jesuit Barracks, the old College, until the departure from that city conquered by the genius of Wolfe. In 1873 the property had been made over like the other property to the Provincial Government. The Jesuits thought this a good time to put in a claim and M. F. David in their behalf asked the Government whether it was its intention to indemnify the ancient proprietors, as though they had not all been dead and buried three-quarters of a century ago. The Government replied in writing in substance that under the law all the property which had belonged to the ancient order of Jesuits and all money received from the sale of any part thereof, formed a fund for the support of education; that the building which had served them for a College formed part of this educational fund and was held to contribute to the support of superior education. “Any indemnity” the reply goes on to state “or sum of money diverted from the direction which the law assigns, would necessarily cause a reduction in the grants in favor of superior education, and would be prejudicial thereto. The appropriation of these lands and this property is conformable to their destination, AND CONSEQUENT-

LY THE GOVERNMENT IS NOT REQUIRED TO INDEMNIFY ANY CORPORATION WHATSOEVER. "This reply was made on the 10th of December 1873 and rejects IN TOTO the claims of the Jesuits for compensation. This grant of public money is therefore leased on a claim that cannot be made good in law or equity, a claim rejected entirely by the Imperial Parliament a century ago, a claim not only ignored but positively denied by the R.C. Legislature of Quebec 15 years before the same Legislature made the grant, a claim that exalts the Canon law of the Roman Catholic church above the laws of the British realm, a claim combatted by seven out of the ten of the R. C. bishops of Quebec, a claim that would have been laughed out of the Legislature and Parliament but for the solid electoral following that the Jesuits have now at their back. Many other objections to the Act have been urged among which we may mention its unconstitutionality, the charges implied in it of robbery, spoliation against the British Crown and Government, and its infringements of the sovereignty of our Sovereign Lady, the Queen by vesting His Holiness the Pope with civil authority in Canada. There can be no doubt whatsoever that the Pope's permission was sought and is recognized as necessary to the sale of the Estates, that the Act requires the Pope's sanction to make it law, and that the funds arising from the sale of the Estates is to be kept as "a special deposit to be disposed of with the sanction of the Holy See." It is for the people of this fair Dominion to say whether they will permit to remain upon the statutes of Canada an Act that makes the permission and ratification of a foreign Potentate necessary in the Legislature of a British province.

APPENDIX.

ARTICLES OF CAPITULATION OF MONTREAL.

ARTICLE XXVII.—The free exercise of the Catholic, Apostolic, and Roman Religion shall subsist entire, in such a manner that all the states and the people of the towns and countries, places and distant posts, shall continue to assemble in the churches, and to frequent the sacraments as heretofore, without being molested in any manner, directly or indirectly. These people shall be obliged by the English Government, to pay their priests and tithes, and all the taxes they were used to pay under the Government of his most Christian Majesty.—"Granted, as to the free exercise of their religion; the obligation of paying the tithes to the priests will depend on the King's pleasure."

ARTICLE XXVIII.—The Chapter, Priests, Curates, and Missionaries shall continue, with an entire liberty, their exercise and function of cures, in the parishes of the towns and counties.—"Granted."

ARTICLE XXIX.—The Grand Vicars, named by the Chapter to administer to the diocese during the vacancy of the Episcopal see,

shall have liberty to dwell in the towns or country parishes, as they shall think proper. They shall at all times be free to visit the different parishes of the diocese with the ordinary ceremonies, and exercise all the jurisdiction they exercised under the French Dominion. They shall enjoy the same rights in case of the death of the future Bishop, of which mention will be made in the following article.—“Granted, except what regards the following article.”

ARTICLE XXX.—If by the treaty of peace, Canada should remain in the power of his Britannic Majesty, his most Christian Majesty shall continue to name the Bishop of the colony, who shall always be of the Roman communion, and under whose authority the people shall exercise the Roman Religion.—“Refused.”

ARTICLE XXXI.—The Bishop shall, in case of need, establish new parishes, and provide for the re-building of his Cathedral and his Episcopal palace ; and, in the meantime, he shall have the liberty to dwell in the towns or parishes, as he shall judge proper. He shall be at liberty to visit his diocese with the ordinary ceremonies, and exercise all the jurisdiction which his predecessor exercised under the French Dominion, save that an oath of fidelity, or a promise to do nothing contrary to his Britannic Majesty's service, may be required of him.—“This article is comprised under the foregoing.”

ARTICLE XXXII.—The communities of Nuns shall be preserved in their constitutions and privileges ; they shall continue to observe their rules ; they shall be exempted from lodging any military ; and it shall be forbid to molest them in their religious exercises, or to enter their monasteries ; safe-guards shall even be given them if they desire them.—“Granted.”

ARTICLE XXXIII.—The preceding article shall likewise be executed, with regard to the communities of Jesuits and Recollects and of the house of the priests of St. Sulpice at Montreal ; these last, and the Jesuits, shall preserve their right to nominate to certain curacies and missions, as heretofore.—“Refused till the King's pleasure be known.”

ARTICLE XXXIV.—All the communities, and all the priests, shall preserve their movables, the property and revenues of the Seignories and other estates which they possess in the colony, of what nature soever they be ; and the same estates shall be preserved in their privileges, rights, honors, and exemptions.—“Granted.”

ARTICLE XXXV.—If the Canons, Priests, Missionaries, the Priests of the seminary of the foreign Missions, and of St. Sulpice, as well as the Jesuits, and the Recollects, choose to go to France, a passage shall be granted them in his Britannic Majesty's ships, and they shall have leave to sell, in whole or in part, the estates and movables which they possess in the colonies, either to the French or to the English, without the least hindrance or obstacle from the British Government. They may take with them, or send to France, the produce of what nature soever it be, of the said goods sold, paying the freight, as mentioned in the xxvi article ; and such of the said Priests, who choose to go this year, shall be victualled during the passage, at the expense of his Britannic Majesty ; and they shall take with them their baggage.—“They

shall be masters to dispose of their estates and to send the produce thereof, as well as their persons, and all that belongs to them to France."

ARTICLE XLI.—The French, Canadians, and Acadians of what state and condition soever, who shall remain in the colony, shall not be forced to take arms against his most Christian Majesty, or his Allies, directly or indirectly, on any occasion whatsoever; the British Government shall only require of them an exact neutrality.—"They become Subjects of the King."

ARTICLE XLII.—The French and Canadians shall continue to be governed according to the custom of Paris, and the laws and usages established for this country, and they shall not be subject to any other imposts than those which were established under the French Dominions.—"Answered by the preceding articles, and particularly by the last."

TREATY OF PARIS.

His Most Christian Majesty renounces all pretensions which he has heretofore formed, or might form, to Nova Scotia, or Acadia, in all its parts, and guarantees the whole of it, and all its dependencies, to the King of Great Britain. Moreover, his most Christian Majesty cedes and guarantees his Britannic Majesty, in full right, Canada, with all its dependencies, as well as the Island of Cape Breton, and all the other islands and coasts in the Gulf and River St. Lawrence, and in general, everything that depends on the said countries, lands, islands and coasts, with the sovereignty, property, possession, and all rights acquired by treaty or otherwise, which the most Christian King and the Crown of France have had till now, over the said countries, islands, lands, places, coasts and their inhabitants, so that the most Christian King cedes and makes over the whole to the said King, and to the Crown of Great Britain, that in the most ample manner and form, without restriction, and without any liberty to depart from the said guaranty, under any pretence, or to disturb Great Britain in the possessions above mentioned.

His Britannic Majesty, on his side, agrees to grant the liberty of the Catholic religion to the inhabitants of Canada: he will consequently give the most effectual orders that his new Catholic subjects may profess the worship of their religion, according to the rites of the Romish church, as far as the laws of Great Britain permit.

His Britannic Majesty further agrees, that the French inhabitants or others, who have been subjects of the most Christian King in Canada may retire with all safety and freedom when they shall think proper, and may sell their estates, provided it be to subjects of his Britannic Majesty and bring away their effects, as well as their persons, without being restrained in their emigration under any pretence whatever, except that of debts, or of criminal prosecutions; the term limited for this emigration shall be fixed to the space of eighteen months, to be computed from the day of the exchange of this ratification of the present treaty.

14 GEORGE III. CHAPTER 83.

V. And, for the more perfect security and ease of the minds of the inhabitants of the said province, it is hereby declared, That his Majesty's subjects, professing the religion of the church of Rome and in the said province of Quebec, may have, hold, and enjoy, the free exercise of the supremacy, declared and established by an act, made in the first year of the reign of Queen Elizabeth, over all the dominions and countries which then did, or thereafter should, belong to the imperial crown of this realm; and that the clergy of the said church may hold, receive, and enjoy their accustomed dues and rights, with respect to such persons only as shall profess the said religion.

VII. Provided always, and be it enacted, that no person professing the religion of the church of Rome and residing in the said province, shall be obliged to take the oath required by the said statute passed in the first year of the reign of Queen Elizabeth, or any other oaths substituted by any other act in the place thereof; but that every such person, who, by said statute is required to take the oath therein mentioned, shall be obliged, and is thereby required, to take and subscribe the following oath before the governor or such other person in such court of record as his Majesty shall appoint, who are hereby authorized to administer the same; videlicet:

"I, A. B., do sincerely promise and swear, That I will be faithful, and bear true allegiance to his Majesty King George, and him will defend to the utmost of my power, against all traitorous conspiracies, and attempts whatsoever, which shall be made against his person, crown and dignity; and I will do my utmost endeavor to disclose and make known to his Majesty, his heirs and successors, all treasons and traitorous conspiracies, and attempts, which I shall know to be against him, or any of them; and all this I do swear without any equivocation, mental evasion, or secret reservation, and renouncing all pardons, and dispensations from any power or person whomsoever to the contrary So help me God."

And every such person, who shall neglect or refuse so take the said oath before mentioned, shall incur and be liable to the same penalties, forfeitures, disabilities, and incapacities, as he would have incurred and been liable to for neglecting or refusing to take the oath required by the said statute passed in the first year of the reign of Queen Elizabeth.

VIII And be it further enacted by the authority aforesaid, that his Majesty's Canadian subjects, within the province of Quebec, the religious orders and communities only excepted, may also hold and enjoy their property and possessions, together with all customs and usages relative thereto, and all other their civil rights, etc.

XII. His Majesty may appoint a council for the affairs of the province, which council may make ordinances with consent of the governor.

XV, Provided also, that no ordinance touching religion shall be of any force or effect, until the same shall have received his Majesty's approbation.

MAR 27 1931

